

May 8, 2008

Honorable Roger McMillian  
Mayor, City of Stillwater  
Stillwater, Oklahoma

RE: Citizens Task Force - City of Stillwater Fire/Ambulance Staffing


Dear Mayor McMillian:

As the chair of the task force it is my pleasure to present to you and the City Council our report of findings and recommendations. This report has been created from information the task force accumulated by holding three public meetings and eight private meetings at which the task force members studied pertinent data compiled from local, regional and national sources. Additionally, on an individual basis several of the task force members invested time in becoming educated on the many nuances of fire and ambulance services.

I want to commend the work of Mr. Dennis McGrath who was our liaison with the City of Stillwater. Mr. John Dorman was also very helpful providing historical and legal information requested by the task force.

In summary, the task force studied all topics relating to your request with one focus: How to maximize quality fire and ambulance service to the citizens of Stillwater in the most *economically viable and sustainable* manner. As indicated by the signatures below of all task force members, we are unanimous in the findings of this report.

Cordially,

  
Melissa DeLacerda  
Chair

Joe Merrifield  
Joe Merrifield

Barry Eller  
Barry Eller

Rex Horning  
Rex Horning

Ray Scarborough  
Ray Scarborough

Elizabeth Townsend  
Elizabeth Townsend

Bob White  
Bob White

# Fire/Ambulance Staffing in Stillwater, Oklahoma



A report from the Citizens Task Force  
on Fire and Ambulance Staffing  
appointed by the Stillwater City Council

May 2008

CITY OF  
***stillwater***

CITY OF  
**stillwater**

*City of Stillwater Fire/Ambulance Citizens Task Force Committee*

**MELISSA DELACERDA/CHAIRMAN**

**REX HORNING/VICE CHAIRMAN**


**BOB WHITE**

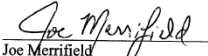
**JOE MERRIFIELD**


**RAY SCARBOROUGH**

**BARRY ELLER**

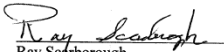
**BETTY TOWNSEND**

  
Melissa DeLacerda  
Chair

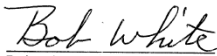
  
Joe Merrifield

  
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**TABLE OF CONTENTS**

I. City Must Balance Safety and Fiduciary Needs ..... page 2

II. Alternative Sources of Funding as Recommended  
by the Firefighters Political Action Committee ..... page 2

    A. SAFER Grant ..... page 2

    B. 522 District ..... page 3

    C. OG&E Franchise Tax..... page 3

III. Oklahoma State University ..... page 4

IV. OSU Student Firefighters ..... page 5

V. Ambulance Staffing-Emergency Transport ..... page 6

    Option 1 ..... page 6

    Option 2 ..... page 7

    Option 3 ..... page 7

VI. Non-emergency Transfers ..... page 7

VII. Overtime ..... page 7

VIII. Need for Additional Firefighters..... page 9

## **I. City Must Balance Safety and Fiduciary Needs**

The City of Stillwater (the “City”) is supported by tax dollars and utility profits and, therefore, stands as a fiduciary of public money. As such, the City must make employment decisions based on a different set of standards than a private employer. The City must balance public safety with its fiduciary responsibility regarding public funds. Risk management is the key component to decisions regarding fire and ambulance services.

The decision with regard to fire and ambulance staffing cannot be made in a vacuum. The economic impact to the City budget as well as to the taxpayers and utility customers who will ultimately bear the financial responsibility must not be viewed only as it relates to increases for firefighters. Other aspects of municipal government staffing must also be included in consideration of the fire department solution, such as Water, Electric, Public Works, Parks & Recreation and Police.

It was noted by the Task Force that the number of fire and ambulance runs has not increased significantly in the past five years. Undoubtedly, this is due, in part, to improved fire and building codes, improved building materials and advanced firefighting technology. It was further noted that the fire department continues to provide quality service with its current staffing levels. In fact, numerous awards and recognitions have been received as a result of current performance.

During the course of the Task Force work, it became evident that, unfortunately over the years, the City has allowed the contract with the firefighters’ union to be negotiated so heavily in favor of the union that the council now has limited options for changes that could truly benefit the citizens of Stillwater.

## **II. Alternative Sources of Funding as Recommended by the Firefighters Political Action Committee**

### **A. SAFER Grant**

Use of a SAFER grant has been suggested by the Firefighters Political Action Committee (the “Firefighters”) as well as various citizens of the community. Since the SAFER monies are in descending payments, the entire cost of the increased personnel has to be borne by the City in a relatively short period of time, only postponing the cost rather than eliminating it. In studying the purposes and eligibility for a SAFER grant, the Task Force found that neither of the two purposes of the SAFER grant can be met by the City, i.e., (a) to enhance services in volunteer fire departments and (b) to assist departments that are experiencing a high rate of turnover.

Furthermore, the City applied for a SAFER grant in 2005 and was denied its grant request. In the letter received by the City informing it that the SAFER grant would not be awarded, it was pointed out that the City of Stillwater application was not among those that advanced to the second phase of the grant application. The notification indicated that the City of Stillwater application did

not directly correspond to the program funding priorities.

Even if a SAFER grant were available to the City to fund additional firefighting or ambulance personnel, use of the grant would be fiscally irresponsible unless the City has identified a new and ongoing source of funds to ultimately pay for the entire increase in budget.

### **B. 522 District**

According to Oklahoma Statutes, an election to form a 522 ambulance district must be called by the Board of County Commissioners (the “County Board”) or as a result of a petition signed by not less than 10 percent of the registered voters of the county. The election must be approved by a simple majority of the votes cast. The City, therefore, has no control over whether an election can be called for the purpose of creating an ambulance service district. Likewise, the City has no control over whether the residents of the entire county would approve the same.

In the event that an election were to be called and the voters of the county approved the formation, a new and separate ambulance service district would be formed. The district would have a Board of Trustees of at least five members, selected by the County Board. The County Board has the authority to adopt rules, regulations and procedures needed to implement county-wide ambulance service. The County Board is not required to contract with any individual entity and has the authority to hire a manager and appropriate personnel to operate the

emergency medical services within the district.

The City cannot be guaranteed that the County Board would contract with the City and provide the City with any or all of the funds generated. Additionally, since the ambulance district funds are strictly for the support of ambulance services, the County Board may refuse to fund cross-staffed firefighters in the City of Stillwater and could require a separate ambulance agency within the City prior to allocating county-restricted funds to pay for City ambulance services.

The City can also call an election to establish a 522 district for the City in the city limits only. The election would also require a simple majority of the votes cast to pass. By the Task Force’s calculation, only \$700,000 would be raised by adding a 3 mill ad valorem tax to all property in the City of Stillwater.

Due to the complexities, the current distressed economic climate, and the maximum potential revenue, a 522 ambulance district is not considered a currently viable option for staffing issues within the City of Stillwater at this time.

### **C. OG&E Franchise Tax**

The ultimate cost of the request by the Firefighters for personnel is approximately \$3 million per year. The Firefighters and various citizens and politicians have suggested that the OG&E franchise tax could be used to fund the new employees requested by the Firefighters’. The franchise tax revenues for the months of September, 2007, through January, 2008, totaled \$74,448. Based on that level of

revenue, the projected annual total from the OG&E franchise tax is \$160,000.

No information has been provided to prove that the franchise payments were earmarked or promised strictly for fire protection within the City. The ordinance approved by the voters authorizing the limited franchise for OG&E did not limit the use of the tax to fire or any other public safety use, so these funds are subject to annual appropriation under the Oklahoma Constitution, the same as any other general revenue tax collected by the City. Regardless of whether an earmarking took place, the annualized projected total from this revenue source would not permanently fund even two firefighter positions.

» **Conclusion:** These three alternative funding methods suggested are not viable sources of funds for firefighter personnel and the Task Force recommends that they not be pursued.

### III. Oklahoma State University

Stillwater and Oklahoma State share a unique relationship, one of which is being in a somewhat remote, low population area. The State of Oklahoma has invested hundreds of millions of dollars in the OSU campus and has entrusted the City with the responsibility of the protection of these facilities. Stillwater does not have the benefit of spreading the cost of providing complete fire services over a large population base and/or having significant protection resources in reserve, as is the case in Norman with Moore/Midwest City/Oklahoma City

being nearby. Additionally, Oklahoma State University does not pay sales tax on purchases, is exempt from property taxes and does not provide direct funding for City fire services. However, indirectly the University is a significant source of sales tax revenue and bolstering property values.

Fifteen percent of all fire calls in the last three years have been to Oklahoma State University property. No statistics are available that include fraternities and sororities surrounding the university, although it can only be concluded that if they were included, the call percentage would be greater. It is known that a vast majority of these calls are false alarms.

While no university/college towns in Oklahoma provide funding for fire protection services, the Task Force sought statistics primarily from other university towns similar to Stillwater, to evaluate any available options relating to fire protection services.

- Manhattan, Kansas has a fire department budget of \$6.25 million serving a population of 50,000. Kansas State University annually provides \$161,000 toward funding for city fire services.
- Carbondale, Illinois has a fire department budget of \$3 million serving a population of 25,000. Southern Illinois University annually provides \$300,000 toward funding for city fire services.

Unique arrangements involving the State of Iowa have been in effect at Ames/Iowa State since 1983 and Iowa City/Uni-



versity of Iowa since 1957. Both plans require cooperation with the universities, their regents and the Iowa state government. The Ames plan is based off of an original base amount of funding each year with escalators; and the Iowa City plan is formula driven using gross total of square feet in university buildings, number of hydrants and other quantitative variables.

- Iowa City, Iowa has a fire department budget of \$5.7 million serving a population of 63,000. The University of Iowa annually provides approximately \$1.15 million of the funding for city fire services.
- Ames, Iowa has a fire department budget of \$4.8 million, serving a population of 52,000. Iowa State University annually provides approximately \$1 million of the funding for city fire services.

**Conclusion:** Based on the recent and planned significant increase in the value of capital investments that have been made on campus by the State of Oklahoma as well as private donors, it is prudent for the City and University to develop a unified assessment of needs and expectations.

The Task Force believes that the outgrowth of such a study would provide policy clarification and resolution in the following areas:

Whether the University is willing to provide budget supplements for spe-

cific fire protection services or take them as its responsibility.

1. What can the OSU community, as a whole, do to minimize the number of unnecessary calls that are being made to the campus and campus area?
2. Explore in tandem with the City the possibility of procuring state assistance for the protection of university assets.
3. Explore a per student fee to support fire and emergency services.

#### **IV. OSU Student Firefighters**

It has been frequently recommended to members of the Task Force that students from the various fire-related educational programs at Oklahoma State University be used as supplemental firefighters to aid in fire department staffing. The Task Force has been informed that using Oklahoma State University students, or other volunteers, would necessitate negotiation with the firefighters' union due to state and federal labor laws. Given the current climate between union and the City, it is improbable that an agreement can be reached.

» **Conclusion:** Using Oklahoma State University students to supplement the Stillwater Fire Department is not a viable solution to staffing issues.

## V. Ambulance Staffing-Emergency Transport

EMS or ambulance staffing requirements are set out by the Oklahoma Department of Health in its Emergency Medical Services Rules and Regulations. Those regulations identify the positions as: (a) licensed Emergency Medical Technician–Basic, (b) licensed Emergency Medical Technician–Intermediate, and (c) licensed Emergency Medical Technician–Paramedic. The procedures that each level of licensed technician may perform in emergency situations are set out in the Department of Health regulations.

The City of Stillwater ambulances are licensed by the State at the middle level of licensed emergency response personnel, Emergency Medical Technician–Intermediate (“EMT-I”).

It is the understanding and belief of the Task Force that each call involving a motor vehicle accident, fire, explosion, and/or industrial accident is responded to by a fire vehicle manned by firefighters as well as an ambulance. Therefore, these emergency calls will have trained firefighters on the scene to perform whatever firefighting skills may be required at the emergency.

The City and the Firefighters agree that no firefighting skills are utilized in driving or accompanying an ambulance during transport from an emergency scene to the Stillwater Medical Center. The only skills possibly used during emergency transport are EMT-Paramedic and driving and not firefighting skills.

The Task Force surveyed EMT salaries in Oklahoma and found that the Basic level salary range is \$20,000 to \$30,000, Intermediate level range is \$22,000 to \$38,000, and Paramedic level salary range is from \$30,000 to \$60,000. The average annual gross earnings for 2007 for a City of Stillwater firefighter was \$64,000. There is an unfinished debate as to whether the driver of the ambulance should be required to have any emergency medical skills. If the City chooses to require that ambulance drivers possess an Emergency Medical Technician–Basic license, the starting minimum salary is projected to be approximately \$20,000 – \$23,000 per year.

» **Conclusion:** The Task Force could not find a justification for manning an ambulance for the purpose of transporting a citizen to the Stillwater Medical Center with a firefighter earning an average of \$64,000 per year when the skills necessary to do both jobs could be filled with employees earning between \$20,000 and \$35,000 per year. Therefore, it is the unanimous recommendation of the Task Force that the City of Stillwater divest itself of ambulance service that is under the auspices of the City of Stillwater Fire Department. This can be accomplished by several avenues:

- **Option 1:** The City of Stillwater should contract with EMSA or a similar private provider to provide complete ambulance services even if privatization requires a subsidy from the City

of Stillwater. The Task Force was impressed by the private ambulance provider and its externally created medical standards which are continually monitored to ensure medical accountability.

- **Option 2:** Because the main purpose of the ambulance emergency transport is to transport a citizen from an accident, injury or illness site to the Stillwater Medical Center, the best entity to oversee all emergency transport would be the Stillwater Medical Center. Since Stillwater Medical Center is in the business of providing health care to our community, it could begin influencing patient care from the moment the ambulance staff arrived at the scene and could best provide a continuity of care from point of contact in the field to the arrival at Stillwater Medical Center. Just as with privatization, the City of Stillwater may be required to pay a subsidy to Stillwater Medical Center to guarantee the successful operation.
- **Option 3:** The City of Stillwater create an ambulance service division with each ambulance manned by (a) a driver with Emergency Medical Technician–Basic licensing and specific emergency vehicle training, and (b) an attendant licensed as Emergency Medical Technician–Paramedic. This would maintain the current ILS rating and high level of ser-

vice that the citizens of the community expect and to which they are entitled, while freeing up the firefighters to perform the tasks for which they were hired and trained, namely, firefighting.

## **VI. Non-emergency Transfers**

The City of Stillwater personnel should be in the public safety/emergency business and not in the non-emergency medical transport business.

» **Conclusion:** The City of Stillwater Fire Department should divest itself of the non-emergency medical transport service.

## **VII. Overtime**

The City of Stillwater has spent between \$360,000 and \$466,000 on fire department overtime each year over the past 3 years. Overtime is created with the “call-back” system. When asked for an explanation as to the call-back procedures, the Task Force was advised that “call-back” is determined by a battalion commander and is done on an ad hoc basis. The call-back system allows the battalion commander to call off-duty firefighters into duty at the pay rate of “premium pay,” which is in excess of one-and-a-half times their base hourly rate, for a minimum of two hours. The Task Force also learned that the time for payment begins when the firefighter leaves his home. According to the contract, call-back is voluntary on the part of the firefighters and only those firefighters who wish to return to work are required to return. It appears that there

has been no attempt by the City to manage the overtime system or monitor the necessity of the overtime.

The Task Force was troubled by several aspects of the overtime/call-back system. With only 66 firefighters on the payroll, expending as much as \$466,000 in overtime pay among them significantly increases the rate of pay for each firefighter. Based on apparent declinations by certain firefighters to participate in the call-back program, several firefighters earned a significant amount each year in the call-back program. Of the 41 officers who are ranked as Firefighter I, Firefighter II or Lieutenant, six employees earned in excess of \$10,000 per year in overtime pay during 2007. Of those six persons, one employee hired at the Firefighter II level earned \$46,057 in overtime pay alone, virtually doubling his salary. Another Firefighter II-level employee earned \$28,371 in overtime pay in 2007. Fifteen employees earned between \$4,001 and \$10,000 in overtime pay in 2007, while eight employees earned from \$2,001 to \$4,000 in overtime. Twelve employees had less than \$2,000 in overtime pay for 2007.

The Task Force noted that of the 66 firefighters employed by the City of Stillwater, only 16 of those firefighters live in the City of Stillwater. Another 17 of those 66 have Stillwater mailing addresses but live outside the city limits. Another 13 firefighters live in different communities within Payne County, leaving 20 firefighters who do not live within the county. Current resident communities represented by Stillwater firefight-

ers include Oklahoma City, Claremore, Collinsville, Kingfisher, Midwest City, Luther, Sperry, Perry, Guthrie, Del City, Cleveland, Morrison, Agra and Carney. While the current contract requires all new hires with the City of Stillwater for firefighting positions to live within 20 minutes of the nearest fire station, the management decision made approximately a decade ago which allows firefighters to live in any community has resulted in an increased cost of firefighters' salaries to the City budget.

It was also noted by the Task Force that many of the current members of the City of Stillwater Fire Department live in communities that do not have paid staff for fire or ambulance. It was of interest to the Task Force that many employees of the City of Stillwater Fire Department have chosen a lesser level of service for their home and family members than is currently available in the City of Stillwater at its present level of staffing.

Based on data reviewed and interviews, it appears there are only infrequent occasions when all 18 – 22 firefighters on duty on a shift have been out of the stations on firefighting calls.

» **Conclusion:** The Task Force recommends that written call-back procedures be established by the City for the payment of overtime which include the threshold of a specific number of firefighters in reserve before any off-duty personnel be recalled. The Task Force recommends that the number of individuals in reserve available for firefighting and emergency duty at

all stations be the minimum staffing necessary to maintain adequate public safety and health. Paying for an unnecessary number of employees in reserve at City stations in anticipation of another call is not fiscally responsible. The Task Force further recommends that the procedures be established by the City based on the past history of the manpower needs on actual calls.

The Task Force further recommends that a written procedure with regard to the scheduling of education and training as well as vacation be established by the City so as to minimize the overtime pay caused by firefighter absences due to education/training and vacation.

### **VIII. Need for Additional Firefighters**

The City has a personnel budget for the fire department in excess of all comparably sized cities studied by the Task Force (Enid, OK; Bartlesville, OK; Ames, IA; Manhattan, KS; Iowa City, IA; Carbondale, IL). Stillwater's actual cost per firefighter was greater than all cities studied except Iowa City and Carbondale and the per-capita cost of the fire department is greater than all cities surveyed. The Task Force noted that the \$146 per-capita cost of firefighting in Stillwater is higher than in any of the cities the Task Force used as a comparison.

It has also been noted by the Task Force that of all the cities listed, only Stillwater provided ambulance transport. If the City of Stillwater Fire Department di-

vests itself of the ambulance service, the job requirements would be similar to the other cities surveyed, with the higher per-capita cost even more glaring.

Of most importance to the Task Force was how any recommended increase in staff would be funded. Since the two main funding sources for city government are sales tax and utility revenue, the Task Force looked at the impact on taxpayers and ratepayers in raising taxes and rates necessary to fund all proposals. A one-half-cent sales tax increase would generate the approximately \$3 million per year needed to fund the Firefighters' proposal of 33 additional firefighters; unfortunately, it would increase the sales tax rate to 9.25 percent, making it one of the highest rates in the state. A three-tenths-cent sales tax increase would be necessary to fund a separate 28-person ambulance division.

If funded by utility customers, approximately \$215 per year would be added to the rate of the utility cost on each utility bill to generate approximately \$3 million per year.

» **Conclusion:** It is the conclusion of the Task Force that the City of Stillwater Fire Department is currently adequately staffed. If the City of Stillwater implements the recommendation to privatize or separate the ambulance service, both emergency and non-emergency, the staffing levels of the fire department will be more than sufficient for the foreseeable future to sustain the growth of the City and surrounding areas.

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